

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FREDDY U MARTINEZ,

No. C-13-04197 DMR

Plaintiff(s),

**ORDER TO SHOW CAUSE**

v.

CITY AND COUNTY OF SAN FRANCISCO,


Defendant(s).

During his deposition, Plaintiff repeatedly refused to answer questions, resting on an assertion of his Fifth Amendment protection against self-incrimination. On September 3, 2014, the court ordered that Plaintiff resubmit to a deposition after the court had an opportunity to adjudicate the issue. To that end, the court required Plaintiff's counsel to file a detailed motion for a protective order regarding any assertion by Plaintiff of his Fifth Amendment rights in this case. *See* Docket No. 51. Plaintiff was to have filed the motion by September 12, 2014. To date, Plaintiff has not filed the motion.

Accordingly, the court ORDERS Plaintiff to respond by **September 19, 2014** and explain why Plaintiff did not file the motion. If Plaintiff does not respond by September 19, 2014 to this order to show cause, Plaintiff will be deemed to have withdrawn his assertion of Fifth Amendment privilege in this case.

IT IS SO ORDERED.

Dated: September 17, 2014

  
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DONNA M. RYU  
United States Magistrate Judge